

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated July 2, 2009. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-17 are pending in the Application. Claims 1, 7, 13 and 17 are independent claims. By means of the present amendment, the claims are amended including for better conformance to U.S. practice, as well as correcting certain informalities noted upon review of the claims. By these amendments, the claims are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Office Action, claims 1, 13 and 17 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 7,058,786 to Oliveri ("Oliveri"). Claims 2-12 and 14-16 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 7,058,786 to Oliveri ("Oliveri") in view of U.S. Patent No. 5,734,787 to Yonemitsu ("Yonemitsu").

These rejections are respectfully traversed. It is respectfully submitted that claims 1-17 are allowable over Oliveri alone and in view of Yonemitsu for at least the following reasons.

As a first point, it is respectfully submitted that Oliveri is not directed to dividing user storage space of an optical disc and therefore, the teaching of Oliveri are not applicable to the claims of the present application in that Oliveri is directed to providing a program access to kernel memory through a virtual addressing scheme that avoids system interrupts (see, Oliveri, Col. 1, lines 42-51 and Col. 2, lines 10-18).

Oliveri is clear in stating that (emphasis added) "the operating system and kernel have a designated memory address space for their use (e.g. kernel space) and user programs have a different designated memory address space for their use (e.g. user space)." (See, Oliveri, Col 1, lines 31-35.) As readily appreciated by a person of ordinary skill in the art, kernel space is not user space located on an optical disk. In fact, kernel space is made up of memory components such as RAM, which is typically reserved for the operating system (see, Oliveri, Col. 1, lines 24-27).

Further, while Oliveri does grant access rights to a program for accessing the kernel space through virtual address memory mapping, Oliveri does not teach, disclose or suggest that the kernel space is space, on an optical disk or otherwise, that is available for a user to store data. It is respectfully submitted that Oliveri is not even analogous art to the present system because one of ordinary skill in the art would not look to a virtual addressing scheme for kernel space as a source of information on how to manage user storage space on an optical disk.

Lastly, since Oliveri restricts access to kernel space, clearly kernel space is not user storage space located between a lead-in area and a lead-out area of an optical disk.

It is respectfully submitted that the method of claim 1 is not anticipated or made obvious by the teachings of Oliveri. For example, Oliveri does not teach, disclose or suggest, a method that amongst other patentable elements, comprises (illustrative emphasis provided) "dividing the user storage space located between a lead-in area and a lead-out area of the optical disk into one or more storage sections where a specific application is allowed to write and one or more sections where said application is not allowed to write, wherein the user storage space is space on the optical disc

that is available for a user to store user data; and defining one or more availability parameters which defines a location and/or extent of at least one application-allowed storage section in the user storage space of the optical disk" as recited in claim 1, and as similarly recited by each of claims 7, 13 and 17. As Oliveri does not provide any such teaching of dividing the user storage space located between a lead-in area and a lead-out area on an optical disk, Oliveri can not be said to anticipate the claims as presented.

Yonemitsu is cited for showing other elements of the claims and as such, does not cure the deficiencies in Oliveri.

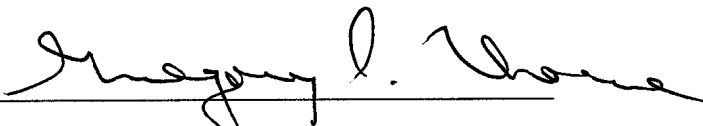
Based on the foregoing, the Applicants respectfully submit that independent claims 1, 7, 13 and 17 are patentable over Oliveri and notice to this effect is earnestly solicited. Claims 2-6, 8-12 and 14-16 respectively depend from one of claims 1, 7 and 13 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration and allowance of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the

foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

By 

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April 20, 2009

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